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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,                   )                   CASE NO. CR06-026-RSL  
10    )  
11       Plaintiff,                                      )  
12    )  
13       v.    )  
14    )                   SUMMARY REPORT OF U.S.  
15       MERHAWI HAGOS HAILE,                           )                   MAGISTRATE JUDGE AS TO  
16    )                   ALLEGED VIOLATIONS  
17       Defendant.                                      )                   OF SUPERVISED RELEASE  
18    )  
19

20                   An evidentiary hearing on supervised release revocation in this case was scheduled  
21 before me on December 14, 2011. The United States was represented by AUSA Andrew  
22 Friedman and the defendant by Lee Covell. The proceedings were digitally recorded.

23                   Defendant had been sentenced on or about September 6, 2006 by the Honorable Robert  
24 S. Lasnik on a charge of Conspiracy to Distribute Cocaine Base, and sentenced to 84 months  
25 custody, five years supervised release.

26                   The conditions of supervised release included the standard conditions plus the  
27 requirements that defendant participate in drug treatment, abstain from alcohol, submit to  
28 search, participate in a mental health program, provide his probation officer with financial

01 information upon request, not associate with any known gang members, and, if deported, not  
02 enter the United States without permission. (Dkt. 211.)

03 The sentence was reduced to 68 months pursuant to 18 U.S.C. § 3582(c)(2) on April 7,  
04 2008. (Dkt. 357.)

05 In an application dated August 11, 2011 (Dkt. 481, 482), U.S. Probation Officer  
06 Jennifer Tien alleged the following violations of the conditions of supervised release:

07 1. Failing to work at a lawful occupation since April 2011, in violation of standard  
08 condition number 5.

09 2. Failing to report a change in residence 10 days prior to any change, in violation  
10 of standard condition number 6.

11 3. Failing to report a change in employment 10 days prior to any change, in  
12 violation of standard condition number 6.

13 4. Failing to report to his probation officer on June 8, 2011, and June 9, 2011, in  
14 violation of standard condition number 2.

15 5. Failing to report to his probation officer on July 29, 2011, in violation of  
16 standard condition number 2.

17 6. Failing to provide a valid urine sample as instructed by stalling, on August 3,  
18 2011, in violation of the special condition of drug testing.

19 Defendant was advised in full as to those charges and as to his constitutional rights.

20 Defendant previously admitted violation 3. (Dkt. 502, 505.) On this date, defendant  
21 admitted violations 1, 4, 5, and 6 and waived any evidentiary hearing as to whether they  
22 occurred. The government moved to dismiss violation 2.

01 I therefore recommend the Court find defendant violated his supervised release as  
02 alleged in violations 1, 4, 5, and 6 (plus violation 3 as previously reported), that the Court  
03 dismiss violation 2, and that the Court conduct a hearing limited to the issue of disposition.

04 The next hearing will be set before Judge Lasnik.

05 Pending a final determination by the Court, defendant has been detained.

06 DATED this 14th day of December, 2011.

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12 cc: District Judge: Honorable Robert S. Lasnik  
13 AUSA: Andrew Friedman  
14 Defendant's attorney: Lee Covell  
15 Probation officer: Jennifer Tien  
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Mary Alice Theiler  
United States Magistrate Judge